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REMARKS

Claims 1, 2, 8, 9, 15, 16 and 18-20 remain in this application. Claims 3-7, 10-14 and 17, directed to non-elected species and previously withdrawn from consideration, are cancelled herein. Claims 1, 2, 8, 9 and 15-20 are amended herein to clarify the invention, and to address matters of form unrelated to substantive patentability issues.

The courtesies extended by the Examiner in a telephonic interview conducted on August 31, 2004 are gratefully appreciated. In the interview, the invention, the prior art and possible changes to the claims to further define the invention over the prior art were discussed.

In particular, it was proposed to amend independent claims 1, 8 and 15 to remove language relating to the lateral direction and to specify that the second view point position is situated "on a side of said object relative to the moving direction and from which the observation point is viewed fixed regardless of the movement of said object in accordance with a state of said object".

The feature of the second view point position (P2) providing a view from a side of the object relative to the moving direction of the object (the "aslant and side" view point) is described in the substitute specification at page 15, lines 11-19 with reference to Fig. 4. The feature of the switch control device switching between the

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first and second view points based on the object reaching a predetermined position is described in the substitute specification at page 16, lines 18-27.

When in the second view point position, the side of the object is visible and movement of the object is reflected in left and right movement of the object across the game screen. By contrast, from a view point position back or behind the object (the first view point position), movement of the object might appear as movement into the game screen.

An advantage obtained by a game control device having the two different view point positions is that a varying visual field image including the moving object is provided wherein view point positions are switched smoothly when the moving object reaches a predetermination position.

Previously, claims 1, 8, 15 and 18-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Saikawa et al. (European Patent Application No. EP 0952555)

Saikawa et al. does not disclose a game control device including all of the above features, in particular, a second view point position on a side of the object relative to the moving direction and which is fixed regardless of the movement of the object and switching to and from this second view point position based on the object reaching a predetermined position.

Saikawa et al. describes an image processor for a game system in which a pitcher is throwing a ball to a batter operated by a player (Figs. 17-21). The camera

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position varies between positions C1, C2 and C3 depending on the status of the pitcher (see Fig. 21). Position C1 corresponds to a position taken from the place where a catcher would be situated, i.e., a catcher position (see Fig. 17). Position C2 is a position in which the pitcher begins the pitching motion (see Fig. 18). Position C3 is a position in which the ball is in motion to the batter (see Fig. 19). Position C2 is elevated from position C1 and position C3 is elevated from position C2 (see Fig. 20).

Thus, all three positions C1, C2 and C3 are in a line extending vertically upward and behind the batter. Indeed, as clearly shown in Fig. 20, all of the view point positions C1, C2 and C3 are taken from behind the batter and show the back of the batter, while none are taken from a side of the batter. A view point position from the side of the batter would show the catcher, the batter, the pitcher and the ball as would be viewed for example from first or third base. Such a view point position is not disclosed, taught or suggested by Saikawa et al.

Thus, Saikawa et al. does not disclose a second view point position on a side of an object relative to the moving direction and from which the observation point is viewed fixed regardless of the movement of the object (as now set forth in claims 1, 8 and 15). The same feature is also included in amended claims 2, 9 and 16 which the Examiner indicated would be considered together in this application along with elected claims 1, 8, 15 and 18-20.

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Since Saikawa et al. does not disclose all of the features now set forth in claims 1, 8 and 15, it cannot render obvious the embodiments of the invention set forth in these claims and claims 18-20 which depend therefrom.

In view of the arguments presented above, it is respectfully submitted that claims 1, 8, 15 and 18-20 are patentable over Saikawa et al. under 35 U.S.C. §103(a).

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,
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